

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

DOROTHY HOULIHAN,

Plaintiffs,

V.

SUSSEX TECHNICAL SCHOOL DISTRICT, )  
SUSSEX TECHNICAL SCHOOL DISTRICT )  
BOARD OF EDUCATION, SANDRA WALLS- )  
CULOTTA, individually, and in her official )  
capacity, and STEVE HUBER, individually, and in )  
his official capacity, )

Defendants.

C.A. No. 05-00194 JJF

TRIAL BY JURY OF TWELVE  
DEMANDED


**DEFENDANTS' MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM OR, IN  
THE ALTERNATIVE, MOTION FOR A MORE DEFINITE STATEMENT**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), the defendants hereby move the Court for dismissal of this action for the reasons stated in the Defendants Opening Brief in Support of Their Motion to Dismiss for Failure to State a Claim or, in the alternative, Motion for a More Definite State, which is incorporated herein as if set forth in full. In the alternate, pursuant to Federal Rule of Civil Procedure 12(e) and for the reasons stated in the Defendant's Opening Brief, the Court should order the plaintiff to provide a more definite statement.

Date: June 6, 2005

RESPECTFULLY SUBMITTED.

WHITE AND WILLIAMS, LLP

  
JOHN D. BALAGUER

Bar ID #2537

WILLIAM L. DOERLER

Bar ID. # 3627

P.O. Box 709

Wilmington, DE 19899-0709

302-467-4508

Attorneys for Defendants Sussex  
Technical School District, Sussex  
Technical School District Board of  
Education, Sandra Walls-Culotta, and  
Steve Huber

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

DOROTHY HOULIHAN,

Plaintiffs,

V.

SUSSEX TECHNICAL SCHOOL DISTRICT, )  
SUSSEX TECHNICAL SCHOOL DISTRICT )  
BOARD OF EDUCATION, SANDRA WALLS- )  
CULOTTA, individually, and in her official )  
capacity, and STEVE HUBER, individually, and in )  
his official capacity, )

**Defendants.**

C.A. No. 05-00194 JJF

## TRIAL BY JURY OF TWELVE DEMANDED

## ORDER

WHEREAS this \_\_\_\_\_ day of \_\_\_\_\_, 2004, having considered the Defendants' Motion to Dismiss for Failure to State a Claim and the Plaintiff's response thereto, it is hereby ordered that the Motion is **GRANTED**. The plaintiff's Complaint, therefore, is dismissed, with prejudice.

IT IS SO ORDERED.

JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DOROTHY HOULIHAN,

Plaintiffs,

v.

SUSSEX TECHNICAL SCHOOL DISTRICT,  
SUSSEX TECHNICAL SCHOOL DISTRICT  
BOARD OF EDUCATION, SANDRA WALLS-  
CULOTTA, individually, and in her official  
capacity, and STEVE HUBER, individually, and in  
his official capacity,

Defendants.

C.A. No. 05-00194 JJF

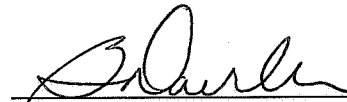
TRIAL BY JURY OF TWELVE  
DEMANDED

**CERTIFICATE OF SERVICE**

I, William L. Doerler, Esquire, do hereby certify that on this 6<sup>th</sup> day of June, 2005, two copies of the foregoing **DEFENDANTS' MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM OR, IN THE ALTERNATIVE, MOTION FOR A MORE DEFINITE STATEMENT** were delivered via First Class Mail, postage prepaid, upon:

Brian F. Dolan, Esquire  
Stumpf, Vickers & Sandy, P.A.  
8 West Market Street  
Georgetown, DE 19947

WHITE AND WILLIAMS, LLP



JOHN D. BALAGUER

Bar ID. # 2537

WILLIAM L. DOERLER

Bar ID. # 3627

P.O. Box 709

Wilmington, DE 19899-0709

302-467-4508

Attorneys for Defendants Sussex Technical  
School District, Sussex Technical School  
District Board of Education, Sandra Walls-  
Culotta, and Steve Huber